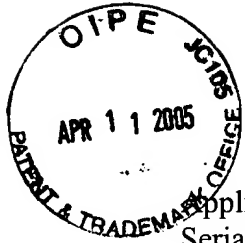


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Craig Lewis et al. Art Unit : 3622
Serial No. : 09/767,792 Examiner : Donald Champagne
Filed : January 23, 2001
Title : DISCOUNT METHOD AND DEVICE FOR AN AUTOMATIC TRANSACTION
MACHINE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the action mailed, applicant provisionally elects the invention of Group A drawn to the embodiment of claims 1-48 and 71-72.

Applicant respectfully traverses the rejection. In particular, applicant notes that the pending claims have already been subject to two Office actions in which the same references served as the basis for rejecting both groups of claims. For example, in the first Office action, dated May 5, 2004, each of claims 1-70 was rejected in view of the same reference (*i.e.*, the Tedesco patent). Similarly, in the second Office action, dated August 27, 2004, the Inamitsu patent at least partially served as the basis for rejecting all the pending claims (*i.e.*, claims 1-72). Applicant has not amended the claims in such a way that now would require separate searching for the two groups of claims

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 6, 2005

Date of Deposit

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Applicant also disagrees with some of the remarks regarding the pending claims. For example, the current Office action (at page 2, par. 4) states that “invention B is limited to the use of coins.” Although invention B includes independent claim 49 which recites “a coin mechanism,” applicant fails to see anything in that claim that would require the use of a coin.

The Office action also alleges that independent claim 63 (which is included in group A) “is limited to ‘a vending machine.’” First, claim 63 recites “a discount device.” The phrase “for processing discounts on a vend item *in a vending machine*,” which is simply part of the claim’s preamble, recites an example of an intended use for the discount device. In any event, the preamble to independent claim 49 (which is included in group B) also recites a “discount device *for an automatic vending machine*.”

The applicant also disagrees with the implication of the statement, at the bottom of page 2 of the Office action, that the phrase “a vending machine” is limited to “a coin-operated device.” While a vending machine may include a coin-operated device, a vending machine may accept other types of currency, such as banknotes, as well as other modes of payment, including, for example, tokens, coupons, credit cards, cash or debit cards, etc.

In view of the foregoing remarks, applicant respectfully requests reconsideration of whether a restriction requirement is appropriate.

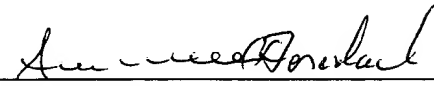
Applicant : Craig Lewis et al.
Serial No. : 09/767,792
Filed : January 23, 2001
Page : 3 of 3

Attorney's Docket No.: 07703-327001 / WCR0117

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Respectfully submitted,

Date: 4/6/05



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